

Introduced by Senator Machado

February 20, 2003

An act to amend Section 2100 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 543, as introduced, Machado. Groundwater: physical solutions.

Existing law, under certain circumstances, authorizes the State Water Resources Control Board to file an action in the superior court to restrict pumping or to impose physical solutions to prevent the destruction of, or irreparable injury to, the quality of groundwater.

The bill, in addition, would authorize the state board to file that action to prevent the impairment of rights to groundwater.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2100 of the Water Code is amended to
2 read:
3 2100. (a) After the department has submitted to the board
4 recommendations for the protection of the quality of ~~ground water~~
5 *groundwater* pursuant to Section 12617.1 or 12923.1 ~~of this code~~,
6 or in reliance upon investigation by any governmental agency, the
7 board may file an action in the superior court to restrict pumping,
8 or to impose physical solutions, or both, to the extent necessary to
9 prevent *the* destruction of, or irreparable injury to, the quality of
10 ~~such water~~ *that groundwater, or the impairment of rights to that*
11 *groundwater. In such that* action, all of the claimants to the use of

1 the affected water known to the board, except claimants to the use
2 of minor quantities of water as defined in Section 2102, shall be
3 named as defendants. ~~In~~
4 (b) *In* any watershed or ~~ground-water~~ *groundwater* basin
5 ~~wherein (a) in which~~ all, or substantially all, of the rights to water
6 have been adjudicated and the court has retained continuing
7 jurisdiction arising from the adjudication, or ~~(b) wherein such in~~
8 *which that* action is pending, any such proceedings by the board
9 shall be undertaken only by intervention by the board in ~~such that~~
10 existing action.

